

SENATE BILL 2294

By Haile

AN ACT to amend Tennessee Code Annotated, Title 4,
Chapter 21 and Title 49, relative to protection
against certain religiously based discrimination.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Title 4, Chapter 21, is amended by adding
the following as a new part 11:

4-21-1101.

(a) In order to protect freedoms of worship and association protected under the federal and Tennessee constitutions, no postsecondary educational institution that grants recognition to any student organization shall discriminate against any student seeking to associate with a student organization or who is a member of a student organization, discriminate against a student organization, deny recognition to a student organization, or deny to a student organization access to programs, funding, facilities, or scheduling of activities otherwise available to another student organization, on the basis of:

(1) The religious content of the organization's speech including, but not limited to, worship; or

(2) The organization's exercise of its rights pursuant to subsection (b).

(b) A religious student organization is one that is characterized as having a religious mission. A religious student organization may determine that the organization's religious mission requires that only persons professing the faith of the group and comporting themselves in conformity with it qualify to serve as leaders.

(c) A violation of subsection (a) is a discriminatory practice subject to the remedies available under part 3 of this chapter.

(d) This section does not apply to any religious school, college, university, or other educational institution or institution of learning described in 42 U.S.C. § 2000e-2(e)(2) when application of this section would materially interfere with the entity's pursuit of its religious mission.

(e) As used in this section, "post-secondary educational institution" means a postsecondary educational institution as defined by § 49-7-2003.

SECTION 2. This act shall take effect July 1, 2014, the public welfare requiring it.